

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

ROBERT TOLER, PhD

V.

SUNRISE SENIOR LIVING
SERVICES, INC. D/B/A BRIGHTON
GARDENS OF SAN ANTONIO and
PRIME CARE SEVEN, LLC

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CIVIL ACTION No. SA-06-CV-0887-XR

NOTICE OF SETTLEMENT

TO THE HONORABLE JUDGE OF SAID COURT:

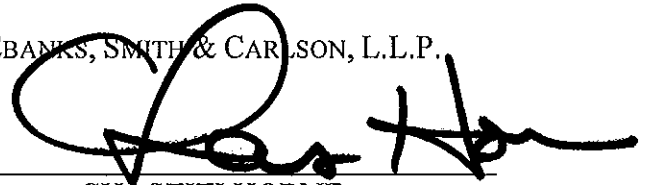
COMES NOW, SUNRISE SENIOR LIVING SERVICES, INC. D/B/A BRIGHTON GARDENS OF SAN ANTONIO AND PRIME CARE SEVEN, LLC (hereinafter "Brighton Gardens"), Defendant in the above-entitled and numbered cause, and file this Notice of Settlement and would respectfully show unto the Court and Jury as follows:

I.

The parties to the above-referenced lawsuit have entered into a settlement. The appropriate filings are forthcoming. Parties seek to put this Court on notice that the trial setting of February 4, 2008 may be taken off this court's docket in light of the aforementioned settlement.

Respectfully submitted,

EBANKS, SMITH & CARLSON, L.L.P.



CHASTITI HORNE

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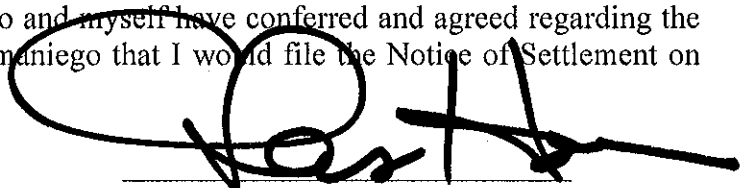
(713) 333-4500

(713) 333-4600 – FAX

ATTORNEY FOR DEFENDANTS

CERTIFICATE OF CONFERENCE

I hereby certify that Ms. Samaniego and myself have conferred and agreed regarding the Notice of Settlement. I informed Ms. Samaniego that I would file the Notice of Settlement on behalf of both parties.



CHASTITI N. HORNE